

Attorney Docket No.: B034383

REMARKS**I. INTRODUCTION**

Claims 1, 6, 8-11, 17 and 18 have been amended. No new matter has been added. Thus, claims 1-20 remain pending in the present application. In view of the above amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II. THE 35 U.S.C. § 102(e) REJECTIONS SHOULD BE WITHDRAWN

Claims 1, 4, 5, 11, 14, 15, and 16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,157,845 to Henry ("Henry"). (*See* 01/17/06 Office Action, p. 2, ¶ 3). Henry teaches a method and device for supporting a plurality of operational modes for a mobile station in a wireless communication system by user control. (*See* Henry, Abstract). Specifically, Henry describes a system for implementing protocols and procedures for connectionless communication between the mobile station and the base station, wherein the communication combines protocols from two technologies. (*See Id.*, col. 10, l. 56 – col. 11, l. 17). The combination of protocols expands the functionality between the mobile station and the base station allowing the mobile station to receive both cellular and packet data service. (*See Id.*, col. 12, ll. 14-44). Thus, by combining the protocols from different technologies, the user is provided with a mobile station that operates in multiple modes of operation. (*See Id.*, col. 12, l. 64 – col. 13, l. 18).

Amended claim 1 of the present invention recites "a first transmitter transmitting a first message from the fixed terminal directly to the plurality of portable terminals, *the message*

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including information specifying a channel, selected for that fixed terminal, to convey the broadcast message” and “a second transmitter transmitting from the fixed terminal directly to the plurality of portable terminals the broadcast message on the said specified broadcast message channel for reproduction of the broadcast message by each portable terminal, wherein the broadcast message channel is connectionless.”

The Henry system simply allows a user to add multiple functions to a mobile station, thereby making it capable to receive multiple forms of information from the mobile station. The Examiner asserts that broadcast system of the present invention is anticipated by Henry’s combination of functions on a mobile station. However, the multi-functional mobile station is not equivalent to a system for communicating a broadcast message to a plurality of subscribers. The communication disclosed in Henry is between the base station and the multi-functional mobile station. There is no transmission of an invitation message (the first message) to a group of users in order to subsequently receive a simultaneously transmitted broadcast message.

Henry states that it provides “improved efficiency of broadcast and simulcast transmission.” (See Henry, col. 12, lines 15-17). However, nowhere does Henry teach or suggest that this improvement is achieved by the recited transmitting of a first message including the channel on which a subsequent broadcast message will be transmitted and then transmitting the broadcast message on that channel.

It is respectfully submitted that Henry’s disclosure neither teaches nor suggests a “a first transmitter transmitting a first message from the fixed terminal directly to the plurality of portable terminals, *the message including information specifying a channel, selected for that fixed terminal, to convey the broadcast message*” and “a second transmitter transmitting from the

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fixed terminal directly to the plurality of portable terminals *the broadcast message on the said specified broadcast message channel* for reproduction of the broadcast message by each portable terminal, wherein the broadcast message channel is connectionless” as recited in claim 1.

Applicants respectfully submit that for at least the reasons stated above, claim 1 of the present application is not anticipated by Henry, and request that the rejection of this claim be withdrawn. As claims 4 and 5 depend from, and therefore include all the limitations of claim 1, it is hereby submitted that these claims are also allowable.

The Examiner rejected claim 11 for the same reasons as the rejection of claim 1 over Henry. (See 01/10/06 Office Action, p. 2, ¶ 3). Claim 11 recites “transmitting a first message from the fixed terminal directly to the plurality of portable terminals, *the message including information specifying a channel, selected for that fixed terminal, to convey the broadcast message*” and “transmitting from the fixed terminal the broadcast message, directly to the plurality of portable terminals, *on the said specified broadcast message channel* for reproduction of the broadcast message channel for reproduction of the broadcast message by each portable terminal, wherein the broadcast message channel is connectionless.”

Therefore, Applicants respectfully submit that claim 11 is allowable for at least the reasons discussed above with regard to claim 1. As claims 14, 15, and 16 depend from, and therefore include all the limitations of claim 11, it is hereby submitted that these claims are also allowable.

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III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 6, 9, 16, and 19 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Henry in view of U.S. Patent No. 5,255,308 to Hashimoto et al. ("Hashimoto"). (See 01/17/06 Office Action, p. 3, ¶ 5).

As discussed above, Henry does not teach or suggest all the limitations of independent claims 1 and 11. It is respectfully submitted that Hashimoto is insufficient to cure the above-stated deficiencies of Henry. Because claims 6 and 9 depend from, and, therefore include all the limitations of claim 1, it is respectfully submitted that these claims are allowable for the reasons stated above with reference to claim 1. Because claims 16 and 19 depend from, and, therefore include all the limitations of claim 11, it is respectfully submitted that these claims are allowable for the reasons stated above with reference to claim 11.

Claims 2, 3, 7, 8, 10, 12, 13, 17, 18, and 20 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Henry in view of U.S. Patent No. 6,112,097 to Subhankar et al. ("Subhankar"). (See 01/17/06 Office Action, p. 5, ¶ 6).

As discussed above, Henry does not teach or suggest all the limitations of independent claims 1 and 11. It is respectfully submitted that Subhankar is insufficient to cure the above-stated deficiencies of Henry. Because claims 2, 3, 7, 8, and 10 depend from, and, therefore include all the limitations of claim 1, it is respectfully submitted that these claims are allowable for the reasons stated above with reference to claim 1. Because claims 12, 13, 17, 18, and 20 depend from, and, therefore include all the limitations of claim 11, it is respectfully submitted that these claims are allowable for the reasons stated above with reference to claim 11.

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CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed.

An early and favorable action on the merits is earnestly solicited.

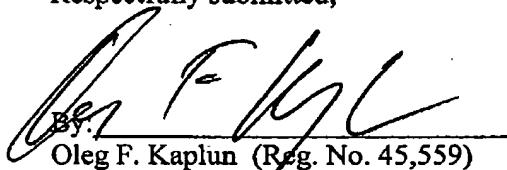
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Respectfully submitted,

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